

REMARKS

In the Office Action dated July 11, 2008, the Office rejected claims 2-11 under 35 USC 112, second paragraph, as being indefinite. The Office also rejected claims 2-10 under 35 USC 103(a) as being unpatentable over Weiss in view of Kaplan. Reconsideration is respectfully requested in light of the above amendment and the following remarks.

Rejection Under 35 USC 112, Second Paragraph

Applicant believes that claim 2 as originally submitted meets the requirement under 35 USC 112, second paragraph, as evidenced by the large number of issued patents that use similar language in their claims. In order to expedite prosecution, claim 2 has been amended to remove and/or modify the terms requested by the Office. Claims 5 and 10 are amended to conform to claim 2. Applicant respectfully requests the withdrawal of this ground of rejection.

Rejection Under 35 USC 103(a)

The Office cited a previous applied reference (Weiss) and a new reference (Kaplan) as basis to reject claims 2-20, stating on page 5 that:

“Weiss does not explicitly teach that the verification process is conducted using wide area network. However, Kaplan teaches a person digital assistant is connected to a system using multiple interfaces such as LAN, WAN, and plain old telephone system (POTS) ... It would have been obvious to one of the ordinary skill in the art at the time of the invention was made to include the verification process in Weiss’s invention using a wide area network interface disclosed by Kaplan to provide users located at different geographic locations with data connection capabilities to a computer or a host system.”

Aside from whether it is proper to combine Weiss and Kaplan, Weiss lacks the following (as explained in the Appeal Brief filed Feb. 4, 2008):

- (1) There is no teaching or suggestion in Weiss that non-deterministic digital content is passed between the “access control means” and the “host computer”,
- (2) There is no teaching or suggestion in Weiss that the “access control means” contains a wide area interface,
- (3) There is no teaching or suggestion in Weiss that the “access control means” contains both a local and a wide area interface,

According to the Office, Kaplan teaches a person digital assistant is connected to a system using multiple interfaces such as LAN, WAN, and plain old telephone system (POTS). Thus adding Kaplan cannot remove the deficiencies of Weiss. Consequently, Claims 2 and 12 are patentable over Weiss and Kaplan, singly and in combination. Other claims depend from claims 2 and 12, and they are patentable on at least the same basis.

Conclusion:

Applicant believes that all grounds of rejection have been satisfactorily answered. The allowance of the present application is respectfully urged. The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required, and to credit any overpayment, to Deposit Account No. 03-1243 (Our Docket No. LOCREM-01).

Respectfully submitted,

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